CALENDAR FOR CHIEF JUDGE WILEY Y. DANIEL FOR THE WEEK OF JULY 13, 2009 (updated July 7, 2009) COURTROOM A-1002, 10TH FLOOR

Monday, July 13, 2009 through Friday, July 17, 2009

NO SETTINGS

COURT CALENDAR FOR SENIOR DISTRICT JUDGE RICHARD P. MATSCH

FOR THE WEEK OF JULY 13, 2009

Courtroom A, the Byron White United States Courthouse 1823 Stout Street, Denver, Colorado

Monday, July 13, 2009

Open

Tuesday, July 14, 2009

10:00 a.m. 09-cv-883	SAFECO INSURANCE COMPANY OF AMERICA v. JANICE REES, BRENT JUSTIN GALE, and ZACHARY KEEGAN SNYDER Scheduling Conference -Conference Room	Hilary D. Wells Gerald B. Feather Marc A. Monroe
2:00 p.m. 09-cv-837	SCOTT SCHUETT v. THE CITY AND COUNTY OF DENVER, COLORADO, DENVER POLICE DEPARTMENT, DENVER ANIMAL CONTROL, OTHER OFFICERS PRESENT, GERALD WHITMAN, and EDWARD ASH Scheduling Conference -Conference Room	Jennifer Edwards-Thomaidis Jay Wayne Swearingen Thomas G. Bigler
2:30 p.m. 09-cv-838	TIMOTHY J. HARRINGTON, PFIZER, INC., and VINCE POWELL Scheduling Conference -Conference Room	Diane S. King Liza S. McKelvey Jennifer S. Harpole
3:30 p.m. 08-cv-2797	MARY MARQUEZ v. METROPOLITAN LIFE INSURANCE COMPANY and WELLS FARGO DISABILITY PLAN Scheduling Conference -Conference Room	Blair B. Brininger Scott K. Field Scott Baker Jack . Englert, Jr.
	Wednesday, July 15, 2009	
11:00 a.m. 09-cv-748	CHARLES FRANK LOFTICE v. HOME DEPOT USA, INC. Scheduling Conference -Conference Room	Bryan E. Kuhn Daniel E. Friesen
2:00 p.m. 08-cv-1291	AMKOR NATURAL GAS COMPANY v. SPARK ENERGY GAS, LP v. MICHAEL GREGORY, RHETT C. SHUMWAY, RND ENERGY, LLC, and ASGARD ENERGY, LLC Status Conference -Conference Room	Denise D. Riley Aimee H. Wagstaff Paul R. Franke, III Charles Greenhouse James D. Kilroy Christine M. Garrison David Palmer Cuneyt A. Akay
3:00 p.m. 05-cv-622	SECURITIES AND EXCHANGE COMMISSION v. DOUGLAS A. GLASER.	Thomas J. Krysa <i>Pro</i> se

Status Conference

Thursday, July 16, 2009

10:00 a.m. 03-cv-2582

NICHOLAS SYTSEMA, a minor, by and through his parents, JACK AND REBECCA SYTSEMA

Michael C. Cook Bruce Anderson

Hearing Issues Raised by Defendant's Proffer of Evidence

Brief

Friday, July 17, 2009

 $\frac{2:00 \text{ p.m.}}{03\text{-cr-}232}$

UNITED STATES OF AMERICA v. THOMAS ALAN BOYD, JACK O. GRACE, JR., GLENN M. GALLANT, DOUGLAS R. BAETZ Status Conference Michael P. Carey John M. Haried Virginia L. Grady Daniel J. Sears Clifford J. Barnard Marci A. Gilligan

CALENDAR FOR JUDGE JOHN L. KANE FOR THE WEEK OF JULY 13, 2009 Courtroom A-802

Monday, July 13, 2009

Room 235 - DURANGO

1:00 PM 08cr53	United States of America	Robert Mydans
000133	Lorenzo Root Sentencing Hearing	Robert Pepin
	<u>Tuesday, July 14, 2009</u>	
10:00 AM 08cr318	United States of America v. Wayne Breitag Status Conference and Trial Setting	James Nelson David Conner Richard L. Russman
2:00 PM 09cv405	Nick Lynch v. Adam Barrot, Abigail Dorn, J. Kennedy, et al Scheduling Conference	Jonathan A. Cross Robert M. Liechty John M. Eckhart L. Douglas Jewell
3:00 PM 06cr324	United States of America	Mark J. Barrett
0001324	v. Tyrone Powell Hearing on Motion for Sentence Reduction	Anthony Viorst
4:00 PM 09cv877	Jeffrey M. Shepard	Bryan E. Kuhn
U)CVOTT	v. Pendum, LLC Scheduling Conference	Sven C. Collins

Wednesday, July 15, 2009

IN RE: OPPENHEIMER ROCHESTER FUNDS GROUP SECURITIES 9:00 AM 09md2063 LITIGATION - MDL Docket No. 2063 Status Conference

Thursday, July 16, 2009

NO SETTINGS

Friday, July 17, 2009

NO SETTINGS

COURT CALENDAR FOR SENIOR JUDGE ZITA L. WEINSHIENK FOR THE WEEK OF JULY 13, 2009 COURTROOM A801

Monday, July 13, 2009

No Settings

Tuesday, July 14, 2009

2:00 p.m. 08-cv-00231-ZLW-KLM Waldron v. State of Colorado Hearing on Defendant's Motion for Summary Judgment Rosemary Orsini & Brian Matise
Amy Colony & Patrick

Sayas

Wednesday, July 15, 2009

No Settings

Thursday, July 16, 2009

No Settings

Friday, July 17, 2009

No Settings

CALENDAR FOR JUDGE LEWIS T. BABCOCK FOR THE WEEK OF JULY 13, 2009

Courtroom C401 Byron G. Rogers United States Courthouse

MONDAY, JULY 13, 2009

NO SETTINGS

TUESDAY, JULY 14, 2009

9:00 a.m. 06-cr-00438-LTB

UNITED STATES OF AMERICA

Greg Holloway

vs.

MAMADOU FOFANA
 Hearing - Supervised Release Violation

Michael Dowling Interpreter (French)

WEDNESDAY, JULY 15, 2009

NO SETTINGS

THURSDAY, JULY 16, 2009

10:00 a.m. 07-cr-00141-LTB

UNITED STATES OF AMERICA

Susan Knox

VS.

1. HENRY LEVERETTE

Janine Yunker

Hearing - Supervised Release Violation

FRIDAY, JULY 17, 2009

<u>9:00 a.m.</u>

07-cr-00363-LTB UNITED STATES OF AMERICA Greg Holloway

VS.

2. BORIS MAVASHOV Barry Zone Hearing - Sentencing Interpreter

COURT CALENDAR FOR SENIOR JUDGE WALKER D. MILLER FOR THE WEEK OF JULY 13, 2009 <u>Courtroom A902</u>

Monday, July 13, 2009 - Tuesday, July 14, 2009

No settings

Wednesday, July 15, 2009

9:00 a.m. 07-cr-236-WDM	UNITED STATES OF AMERICA v. SEREINO JOE MARTINEZ Sentencing	Wyatt Angelo Michael Lindsey
10:00 a.m. 06-cr-372-WDM	UNITED STATES OF AMERICA v. MELISSA BOWERY Supervised release violation	Joseph Mackey Thomas Ward

Thursday, July 16, 2009 - Friday, July 17, 2009

Unavailable

COURT CALENDAR OF JUDGE MARCIA S. KRIEGER FOR THE WEEK OF JULY 13, 2009 COURTROOM A901

NOTICE: The following Docket is current as of **July 9, 2009**. As a result of settlements, emergency matters, and other action, this Docket may have been modified since that time, and hearings vacated and/or added.

MONDAY, JULY 13, 2009

8:30 a.m. 08-cr-00509-MSK	United States of America v. Christopher Lamar Fleming Sentencing Hearing	Richard Hosley Mitchell Baker
9:15 a.m. 08-cr-00209-MSK-6	United States of America v. Tanya Cerda Sentencing Hearing	Mark Barrett Gary Fielder
10:00 a.m. 09-cr-00118-MSK	United States of America v. Charlene L. Kittinger Change of Plea Hearing	Joseph Mackey La Fonda Jones
10:45 a.m. 08-cr-00161-MSK-8	United States of America v. Jesus Noe Mendoza-Ochoa Change of Plea Hearing	Stanley H. Marks Mark Barrett *Interpreter
11:30 a.m. 99-cr-00300-MSK-9	United States of America v. Oscar Pacheco-Vasquez Compliance Review Hearing	Stephanie Podolak Richard Kornfeld
1:30 p.m. 08-cr-00374-MSK	United States of America v. Gary Clayton Sentencing Hearing	David Conner Brian Leedy

TUESDAY, JULY 14, 2009

9:00 a.m. 09-cr-00158-MSK **United States of America**

Christopher Copeland and

Clifford H. Leonard Law and Motion Hearing Linda McMahan Patricia Davies Forrest W. Lewis Wilbur C. Smith, Jr.

4:00 p.m. 09-cv-01007-MSK-MJW

Cellport Systems, Inc.

Peiker Acustic GMBH & Co. KG

Rule 16 Hearing

Lisa Hogan Geoffrey Williamson Christopher Toll

Timothy Getzoff

WEDNESDAY, JULY 15, 2009

9:00 a.m.

04-cr-00463-MSK

United States of America

V.

Linda Carnagie Sentencing Hearing Martha Ann Paluch

David Owen

THURSDAY, JULY 16, 2009

10:00 a.m.

08-cr-00161-MSK-7

United States of America

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Gabriel Vargas-Vegas Change of Plea Hearing Mark Barrett

Lisa Polansky *Interpreter

10:45 a.m.

08-cr-00161-MSK-2

United States of America

Juan Magarito Perez-Bencomo

Change of Plea Hearing

Mark Barrett

David Olivas *Interpreter

2:00 p.m.

08-cr-00263-MSK and

08-cr-00450-MSK

United States of America

William Ismael Wilson

Motions Hearing

Kenneth Harmon

Stephen Peters

THURSDAY, JULY 16, 2009

4:00 p.m.

08-cv-01179-MSK-KMT

Qdoba Restaurant Corporation

Taylors, LLC

Final Pretrial Conference

Bradley Block Michael Lindsay Harry Souvall Mikhael Buchanan Robert Einhorn Robert Zarco

Jon-Mark Patterson

FRIDAY, JULY 17, 2009

9:00 a.m. 02-cr-00160-MSK **United States of America**

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Angel Gutierrez Motion Hearing

Wyatt Angelo

R. Scott Reisch

CALENDAR FOR JUDGE ROBERT E. BLACKBURN For the Week of July 13, 2009 Courtroom A-1001, 10th Floor

Monday, July 13, 2009, through Thursday, July 16, 2009

No Matters Set

Friday, July 17, 2009

9:00 a.m. 08-cr-00519-REB	UNITED STATES OF AMERICA	Jeremy Sibert
	vs. ISMAEL MEL DOMINGUEZ Change of Plea Hearing	John Mosby
08-cr-00533-REB	UNITED STATES OF AMERICA	Stephanie Podolak
	vs. 2. DARIUS DELYON MOORE Change of Plea Hearing	Nathan Chambers
10:00 a.m.		
07-cr-00429-REB	UNITED STATES OF AMERICA vs.	Mark Barrett
	22. SUNGWON KIM Change of Plea Hearing	Lynn Anne Pierce
1:30 p.m.		
08-cr-00439-REB	UNITED STATES OF AMERICA vs.	Richard Hosley
	MICHAEL ANTOINE ROBINSON Sentencing Hearing	Donald Lozow Bradley Lozow
2:30 p.m.		
08-cr-00308-REB	UNITED STATES OF AMERICA vs.	James Hearty
	HENRY NICK COLEMAN Sentencing Hearing	Kenneth Eichner

Calendar for Judge Philip A. Brimmer

For the Week of July 13, 2009

Please note: Judge Brimmer is now in Courtroom A701**

Monday, July 13, 2009

No settings

Tuesday, July 14, 2009

No settings

Wednesday, July 15, 2009

9:00 a.m. Motions Hearing

Case No. 09-cr-00181-PAB

United States of America Tim Neff

V.

David I. Hillman Daniel Sears

Thursday, July 16, 2009

10:00 a.m. Hearing on Motion for Summary Judgment

Case No. 08-cv-00824-PAB-CBS

Everplay Installation, Inc. and Bryan Kuhn

Rolf Huber

V.

Roger Joseph Guindon Richard Clark, Susan Sperber

4:00 p.m. Change of Plea Hearing

Case No. 09-cr-00210-PAB

United States of America Jeremy Sibert

V.

1. Roderick Stith Alexandra Bouchee

Friday, July 17, 2009

9:00 a.m. Oral Argument

Case No. 08-cv-01350-PAB

Delores Levine Terry Fjeld

V.

Michael J. Astrue Debra Meachum, Kevin Traskos

10:00 a.m. Sentencing

Case No. 09-cr-00084-PAB

United States of America Ryan Bergsieker

V.

1. Sabrina Gause Forrest Lewis

11:00 a.m. Sentencing

Case No. 09-cr-00086-PAB *United States of America*Ryan Bergsieker

V.

1. Kimberly Page Daniel Sears

1:30 p.m. Rule 16 Conference

Case No. 09-cv-00856-PAB-KLM

Precision Concrete Cutting, Inc.

James Belshe, Nina Wang,

Natalie Hanlon-Leh

V.

Concrete Sidewalk Solutions, Inc. Scott Terrell

COURT CALENDAR FOR JUDGE CHRISTINE M. ARGUELLO FOR THE WEEK OF JULY 13, 2009 COURTROOM A602

Monday, July 13, 2009

9:00 AM	Carol J. Tennison v. Michael J. Astrue;	Eddy Pierre
08-cv-02385-CMA	SSA Oral Argument (via Telephone)	Debra J. Meachum
11:00 AM 08-cv-01513-CMA-BNB	Mountain States Media, LLC, et al. v. Adams County, Colorado, et al.; Final Trial Preparation Conference	Ronald B. Beattie Heidi M. Miller

Tuesday, July 14, 2009

9:00 AM 09-cv-00217-CMA	SEC v. Enterprises LLC, et al.; Motions Hearing	Julie K. Lutz Nancy J. Gegenheimer Robert T. McAllister Bradford J. Lam
11:00 AM	USA v. Steven Marino;	Ryan Bergsieker
09-cr-00191-CMA	Change of Plea Hearing	Ginny Grady
1:30 PM	USA v. Patricio Zaragoza;	Richard Hosely III
09-cr-00032-CMA	Sentencing	LaFonda Jones
2:30 PM 09-cr-00038-CMA	USA v. Ronald Allen Rhodes; Change of Plea Hearing	Robert Mydans Todd Norvell Sean T. McAllister

Wednesday, July 15, 2009

9:00 AM 09-cr-00195-CMA	USA v. Daniel Brandon; Change of Plea Hearing	Michelle Kelley Michael G. Root
1:30 PM 09-cr-00093-CMA	USA v. Usmaro Rosales-Nieto; Sentencing	Richard Hosely III Ed Pluss

Thursday, July 16, 2009

No Settings

COURT CALENDAR FOR JUDGE CHRISTINE M. ARGUELLO FOR THE WEEK OF JULY 13, 2009 COURTROOM A602

Friday, July 17, 2009

9:00 AM 07-cv-00324-CMA-	Paula D. Bragg v. Office of District Attorney, 13th Judicial District; Final Trial Preparation Conference	Steven L. Murray Josh A. Marks Kathleen T. Alt
1:30 PM 09-cr-00150-CMA	USA v. Ivan Alejandro Coronado-Cruz; Change of Plea Hearing	Michelle Heldmyer Brian Leedy
2:30 PM	USA v. Andrew Alex Martinez;	Kassandra Carleton
09-cr-00218-CMA	Change of Plea Hearing	LaFonda Jones
3:30 PM	USA v. Esteban Benitez Contreras;	Joe Mackey
09-cr-00183-06-CMA	Change of Plea Hearing	Ronald Gainor

The calendar for Senior Circuit Judge David M. Ebel is currently not available.

The calendar for Visiting District Judges is currently not available.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

MAGISTRATE JUDGE MICHAEL J. WATANABE

DOCKET FOR THE WEEK OF:

JULY 13, 2009 THROUGH JULY 17, 2009

MONDAY, JULY 13, 2009

NO DOCKET SET - WORKING IN CHAMBERS

TUESDAY, JULY 14, 2009 THROUGH FRIDAY, JULY 17, 2009

ATTENDING MAGISTRATE JUDGES' WORKSHOP 2009 (FMJA) MILWAUKEE, WI MAGISTRATE JUDGE UNAVAILABLE

COURT CALENDAR MAGISTRATE JUDGE BOYD N. BOLAND COURTROOM A-401, FOURTH FLOOR, UNITED STATES COURTHOUSE WEEK OF JULY 13, 2009 THROUGH JULY 17, 2009

MONDAY, JULY 13, 2009

	09-cv-528-PAB-BNB 09-mj-07008	Dataworks v. Commlog USA v. Joseh S. Woytko	SCHEDULING CONFERENCE MOTIONS HEARING
11:00 am	07-cr-429-REB	USA v. Dinh Vo	MOTIONS HEARING
	08-cv-2325-LTB-BNB	Griego, et al. v. Barton Leasing	SETTLEMENT CONFERENCE

TUESDAY, JULY 14, 2009

8:00 am	09-cv-672-REB-BNB	Hagerman v. Eli Lilly and Co., et al.	SCHEDULING CONFERENCE
8:30 am	09-cv-711-PAB-BNB	Devoe v. Broaddus, et al.	SCHEDULING CONFERENCE
9:00 am	09-cv-761-PAB-BNB	Crist v. Mesa Developmental	MOTIONS HEARING
10:00 am	09-cr-265-REB	USA v. Kayley Aue	MOTIONS HEARING

WEDNESDAY, JULY 15, 2009

NO DOCKET

THURSDAY, JULY 16, 2009

NO DOCKET

FRIDAY, JULY 17, 2009

NO DOCKET

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

MATTERS BEFORE MAGISTRATE JUDGE CRAIG B. SHAFFER

For the week of July 13, 2009 (Updated: July 10, 2009, at 3:24 pm)

MONDAY, JULY 13, 2009

8:30 a.m.	08-cv-00775-MSK	Heilman, <i>et al.</i> v. Houghton Mifflin Harcourt Publishing Co.	Telephonic Motion Hearing
10:00 a.m.	Criminal Dock	c e t	
		Tuesday, July 14, 2009	
8:00 a.m.	09-cv-01031-ZLW	Estate of Rosemary Berry v. Berry, Jr., et al.	Scheduling Conference
9:00 a.m.	09-cv-00779-PAB	U.S. Bank, N.A. v. Mayhew, et al.	Telephonic Status Conf.
10:00 a.m.	Criminal Dock	cet	
4:00 p.m.	06-cv-01733-CMA	Zinna v. Cook	Telephonic Discovery Conference
		WEDNESDAY, JULY 15, 2009	
8:30 a.m.	08-cv-00149-WDM	Trujillo v. City of Lakewood, et al.	Motion(s) Hearing
10:00 a.m.	Criminal Dock	c e t	
		Tuunenay luuy 16 2000	
		<u>Thursday, July 16, 2009</u>	
8:30 a.m.	08-cv-02813-REB	Mecca v. USA	Status Conference and Motion(s) Hearing
10:00 a.m.	Criminal Dock	c e t	
		FRIDAY, JULY 17, 2009	
8:15 a.m.	09-cv-00882-WDM	Furlong Enterprises, LLC, et al. v. Nickerson, et al.	Scheduling Conference
9:00 a.m.	09-cv-00453-CMA	Ivar, et al. v. Elk River Partners	Scheduling Conference
10:00 a.m.	Criminal Dock	cet	

UNITED STATES DISTRICT COURT DISTRICT OF COLORADO

Michael E. Hegarty
United States Magistrate Judge
Byron G. Rogers United States Courthouse
Courtroom C-203

Week of July 13, 2009

Monday, July 13, 2009

9:15 AM Caldwell v. GEICO

09-cv-01015-DME-MEH Scheduling Conference

9:30 AM SEC v. Arnold, et al.

03-cv-00328-REB-MEH Final Pretrial Conference

10:00 AM Witham v. Trujillo

08-cv-02155-MSK-MEH Settlement Conference

Tuesday, July 14 through Friday, July 17, 2009

JUDGE UNAVAILABLE – NO DOCKET

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO MAGISTRATE JUDGE KRISTEN L. MIX Byron G. Rogers United States Courthouse Courtroom C-204

AS OF July 9, 2009 (9:04am)

MONDAY, July 13, 2009	
10:00 A.M. 08-cv-01104-REB-KLM FINAL PRETRIAL CONFERENCE	Hale v. Coors Distributing Co.
1:30 P.M. 06-cv-02003-WYD-KLM SETTLEMENT CONFERENCE	Stoney v. Cingular Wireless LLC
TUESDAY, July 14, 2009	
9:30 A.M. 09-cv-00856-PAB-KLM SCHEDULING CONFERENCE	Precision Concrete Cutting, Inc. v. Sidewalk Shavers, LLC, et al
10:30 A.M. 08-cv-02791-WDM-KLM SCHEDULING CONFERENCE	Dittman v. DJO, Inc., et al
11:00 A.M. 09-cv-01043-CMA-KLM SCHEDULING CONFERENCE	Romero v. Denver Public Schools, District No. 1, et al
11:30 A.M. 08-cv-00737-MSK-KLM MOTIONS HEARING	Parker v. Ritter, et al
WEDNESDAY, July 15, 2009	
– NO DOCKET SET – Judge unavailable	
THURSDAY, July 16, 2009	
– NO DOCKET SET – Judge unavailable	
FRIDAY, July 17, 2009	

– NO DOCKET SET – Judge unavailable

U.S. District Court District of Colorado

Calendar Events Set for the Week of July 13, 2009

Magistrate Judge Kathleen M. Tafoya, Presiding in Courtroom C-201, Second Floor, of the Byron Rogers U.S. Courthouse, 1929 Stout Street, Denver, Colorado

Monday, July 13, 2009

9:00 a.m.

08-cv-01998-MSK-KMT

Joanna Martin

ν.

Sears, Roebuck and Co.

1:30 p.m.

08-cv-02608-WYD-KMT

Deborah Armstead

ν.

Allstate Insurance Company

Tuesday, July 14, 2009

10:00 a.m.

08-cv-01071-CMA-KMT

Bellco Credit Union

v.

USA

10:15 a.m.

08-cv-01346-DME-KMT

B5 Design, LLC, et al.

ν.

Salazar Solutions, Inc.

10:30 a.m.

09-cv-00669-ZLW-KMT

Douglas e. Gilman

ν

Target Corporation

Wednesday, July 15, 2009

COLORADO SPRINGS DOCKET

Motion Hearing

Sean Michael McCurdy

Erin Ashley Webber

Stephanie L. Hankin

Settlement Conference

Andrea Blanscet

Andrew Alan Scott

Final Pretrial Conference

Michael M. Conway (Telephone)

Michael G. Pitman (Telephone)

Final Pretrial Conference

Paul Forrest Lewis

Richard W. Hanes

Scheduling Conference

Donna E. Dell'Olio (Telephone)

Elizabeth S. McKelvey

Thursday, July 16, 2009

9:00 a.m.

08-cy-02695-KMT-BNB Denver NMR, Inc.

Front Range Mobile Imaging, Inc. Catholic Health Initiatives Colorado **Status Conference**

Bradley Robinson Brian McConaty

Neil Ayervais

10:30 a.m.

08-cv-02162-MSK-KMT Gail Tafoya

ν.

Dean Foods Company Dean West, LLC

Southern Foods Group, LLC

Motion Hearing

David Rafael Medina Kent Patrick Long

Emily Fontelle Keimig Daniel Mitchell Combs

1:30 p.m.

08-cv-00245-MSK-KMT Benjamin Davis

Wilfredo Andujar, et al.

Settlement Conference

Pro se (Telephone)

Thomas G. Bigler

Friday, July 17, 2009

10:00 a.m.

08-cv-00487-WYD-KMT Derrick L. Aranda ν. Lt. M. McCormac, et al. **Scheduling Conference**

Christopher Wayne Alber

Pro se (Telephone)

10:15 a.m. **Motion Hearing**

08-cv-00855-LTB-KMT

Board of County Commissioners

ν.

Brown Group Retail, Inc., et al.

Asimakis Pascal Iatridis

Ann Rhodes Josh Adam Marks Michael Arnold

Gail L. Wurtzler

Robert Winston Lawrence

The calendar for Magistrate Judge Laird T. Milburn is currently not available.

The calendar for Magistrate Judge David L. West is currently not available.